

"Express Mail" mailing label no. EU950140420US Date of Deposit: 2 March 2004  
 I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to: Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

Jeffrey Pearce  
 Person mailing paper or fee

Jeffrey Pearce  
 Signature

22141 U.S. PTO  
 10/791602



## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Mail Stop Patent Application  
 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450

### TRANSMITTAL LETTER FOR NEW APPLICATION

Transmitted herewith for filing is a new U.S. Patent Application

Inventor(s): Carl A. WALDSPURGER, Ole AGESEN, Xiaoxin CHEN,  
 John ZEDLEWSKI, Tal GARFINKEL

Title: **Dynamic Verification of Validity of Executable Code**

Enclosed are:

- ☒ Declaration and Power of Attorney. ☒ signed ☐ unsigned
- ☒ Application, including 1 p. Title page, **44** pp. Specification, **10** pp. Claims, and **1** p. Abstract
- ☒ 4 sheet(s) of drawings
- ☒ Assignment and Assignment Recordation Form Cover Sheet
- ☐ Information Disclosure Statement, PTO Form 1449, and copies of \_\_\_ references
- ☒ Request and Certification Under 35 U.S.C. 122(b)(2)(B)(i) (Non-publication request)
- ☒ Self-addressed receipt confirmation postcard

### Filing Fee Calculation

	Number Filed		Number Extra	Rate	Fee
Basic Filing Fee (37 CFR 1.16(a))					\$770.00
Total Claims	47	-20	27	\$18.00	\$486.00
Independent Claims	4	-3	1	\$86.00	\$86.00
<b>TOTAL FILING FEE</b>					<b>\$1342.00</b>

**Method of Payment**

Please charge \$1342.00 to deposit account 50-2652 as specified below .

**Authorization to Charge to Deposit Account**

The Commissioner is hereby authorized to charge the above-listed fees, as well as any underpayment, and credit any overpayment, to deposit account no. 50-2652. A copy of this authorization is enclosed.

**Mailing Address**

Please mail all correspondence to:

VMware, Inc.  
ATTN: Jeffrey Pearce  
3145 Porter Drive  
Palo Alto, CA 94304

Telephone & fax: (360) 793-6687

Date: 2 March 2004

Respectfully Submitted,



Jeffrey Pearce  
Reg. No. 34,729  
Attorney for the Applicant(s)  
**CUSTOMER NO.: 36378**

<b>REQUEST AND CERTIFICATION UNDER 35 U.S.C. 122(b)(2)(B)(i)</b>	First Named Inventor		WALDSPURGER, Carl A.
	Title	Dynamic Verification of Validity of Executable Code	
	Atty Docket Number		A43

I hereby certify that the invention disclosed in the attached application **has not and will not** be the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing. I hereby request that the attached application not be published under 35 U.S.C. 122(b).

2 March 2004  
Date

Jeffrey Pearce  
Jeffrey Pearce  
Reg. No. 34,729  
Attorney for the Applicant(s)

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this non-publication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).**